

NEWS RELEASE



OFFICE OF THE UNITED STATES ATTORNEY SOUTHERN DISTRICT OF CALIFORNIA San Diego, California

***United States Attorney
Carol C. Lam***

For Further Information, Contact: Assistant United States Attorney Michael G. Wheat 619-557-5408

For Immediate Release

NEWS RELEASE SUMMARY - September 28, 2006

United States Attorney Carol C. Lam announced that a federal grand jury sitting in San Diego handed up a five-count indictment charging John Mohammed Janan and Mustafa Jaan-Agaha with conspiracy to defraud the United States, false statement relating to naturalization; and making false statements to a federal agency.

The indictment charges that Janan and Jaan-Agaha were involved in a scheme to fraudulently and unlawfully allow Jaan-Agaha, an otherwise inadmissible alien, to enter and remain in the United States. Specifically, according to court documents, in 1996 John Janan filed a fraudulent immigrant visa application for Mustafa Jaan-Agaha, falsely claiming Jaan-Agaha was his son. Court documents allege that in all previous immigration documents filed by Janan, since his 1985 entry into the United States as a refugee from Afghanistan, Mustafa Jaan-Agha was not listed as one of his existing children. In addition, agents collected DNA evidence from Jaan-Agha in San Diego, and from Janan in Afghanistan, where he was working as a contract interpreter for the Department of Defense.

Prior to the issuance of the indictment, the defendants were arraigned on a criminal complaint, which also charged the defendants with conspiracy to defraud the United States. On September 15, 2005, John Mohammed Janan was arrested and arraigned on the complaint in Boston, Massachusetts, as he returned to the United States from Afghanistan. Janan was ordered detained without bail and was ordered removed to San Diego. Mustafa Jaan-Agaha was arraigned on the complaint on September 15, 2006.

The indictment comes at the culmination a year-long investigation by Immigration and Customs Enforcement, Department of Homeland Security, and the Federal Bureau of Investigation in San Diego and Afghanistan.

Mustafa Jaan-Agaha was arraigned on the indictment earlier today before Magistrate Judge Ruben B. Brooks. John Mohammed Janan is scheduled to be arraigned within the week. The defendants are next scheduled to be in court on November 9, 2006, at 11:00 a.m. before United States District Judge Dana M. Sabraw for motion hearing and trial setting.

DEFENDANTS

John Mohammed Janan
Mustafa Jaan-Agaha

SUMMARY OF CHARGES

Count: 1
Charge : Conspiracy to Defraud the United States, Title 18, United States Code, Section 371.
Maximum Penalty: Five years in prison and a \$250,000 fine.

Counts: 2 and 3
Charges : False Statement Relating to Naturalization; Title 18, U.S.C., Sec. 1001 -
Title 18, United States Code, Section 1015.
Maximum Penalty: Five years in prison and a \$250,000 fine per count.

Counts: 4 and 5
Charges : False Statement to a Federal Agency, Title 18, United States Code, Section 1001.
Maximum Penalty: Five years in prison and a \$250,000 fine per count.

AGENCIES

Immigration and Customs Enforcement, Department of Homeland Security
Federal Bureau of Investigation

An indictment itself is not evidence that the defendants committed the crimes charged. The defendants are presumed innocent until the United States meets its burden in court of proving guilt beyond a reasonable doubt.